

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

OMEGA PATENTS, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 21-030-CFC
)	
BAYERISCHE MOTOREN WERKE)	
AG AND BMW OF NORTH)	
AMERICA, LLC,)	
)	
Defendants.)	

JOINT STATUS REPORT

Plaintiff Omega Patents, LLC (“Omega”) and Defendant BMW of North America, LLC (“BMW NA”) (collectively “the parties”) in accordance with the Order to Stay Pending *Inter Partes* Review (D.I. 85), file this Joint Status Report as follows:

1. On May 9, 2022, the Patent Trial and Appeal Board (“PTAB”) issued a Final Written Decision in IPR2021-00181 as to all claims (1-31) of U.S. Patent 9,458,814 (“the ‘814 Patent”). The PTAB concluded that “Petitioner has shown, by a preponderance of the evidence, that claims 1–31 of the ’814 patent are unpatentable.” A copy of the Final Written Decision is attached as Exhibit A.
2. In accordance with 37 C.F.R. § 42.71(d)(2), a party dissatisfied with the PTAB final written decision may request a panel rehearing within 30 days of entry of

the decision.

3. In addition, in accordance 35 U.S.C. § 142; 37 C.F.R. §§ 90.3(a)(1) and (b)(1), a party may file any notice of appeal with the Director of the USPTO within 63 days after the date of the final written decision.

4. Plaintiff Omega is still considering its option for requesting a panel rehearing or notice of appeal and will need to decide on a course of action within sixty (60) days.

5. The parties shall file a Second Joint Status Report with the Court within 60 days as to the status of the panel rehearing or notice of appeal of the aforesaid *Inter Partes* Review action.

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Dated: May 25, 2022

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SO ORDERED this _____ day of _____, 2022.

CHIEF UNITED STATES DISTRICT JUDGE